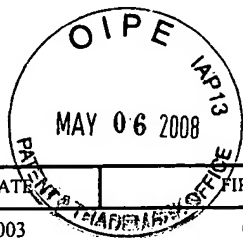




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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/729,997

12/09/2003

Charles A. Rosenblatt

05793.3125

2800

22852

7590

05/05/2008

FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER
LLP

901 NEW YORK AVENUE, NW
WASHINGTON, DC 20001-4413

EXAMINER

TROTTER, SCOTT S

ART UNIT

PAPER NUMBER

3694

MAIL DATE

DELIVERY MODE

05/05/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/729,997	Applicant(s) ROSENBLATT ET AL.	
	Examiner SCOTT S. TROTTER	Art Unit 3694	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 February 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-99 is/are pending in the application.
- 4a) Of the above claim(s) 21-31, 52-62 and 83-93 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20, 32-51, 63-82 and 94-99 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>12/02/2004 and 03/06/2004</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Restriction election

1. The Office acknowledges the receipt of Applicant's restriction election, filed February 5, 2008. Applicant elects Group I, claims 1-20, 32-51 and 63-82 without traverse. Claims 1-20, 32-51, 63-82 and 94-99 are pending. Claims 21-31, 52-62, and 83-93 are nonelected. Claims 1-20, 32-51, 63-82 and 94-99 are examined in the instant application. This restriction is made FINAL.

Information Disclosure Statement

2. An initialed and dated copy of Applicant's IDS forms 1449 filed 12/02/2004 and 03/26/2004, are attached to the instant Office action.

Claim Rejections - 35 USC § 101 Utility

3. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

4. Claims 63-76, and 98-99 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The computer readable medium contains instructions that could be instructions for a human to execute them rendering them non-statutory unlike the case where the instructions were computer executable.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1-5, 7, 8, 13, 14, 32-36, 38, 39, 44, 45, 63-67, 69, 70, 75, 76, 94, 96, and 98 are rejected under 35 U.S.C. 102(b) as being anticipated by Masuda (U.S. Patent 5,569,897 hereafter Masuda).

As per claim 1 Masuda teaches:

A method for marketing a credit card account to a consumer, the method comprising:
receiving an application for the credit card account from the consumer through a point-of-sale location; (*See Masuda column 3 lines 51-53*)
receiving a notification that the consumer requests to purchase a product at the point-of-sale location; (*See Masuda column 3 lines 51-53*) and
determining whether to approve the application based upon receiving the notification that the consumer requests to purchase the product. (*See Masuda column 51-53*.
Asking to make a credit purchase starts the application process making it an inherent part of determining whether to approve the application.)

As per claim 2 Masuda teaches:

The method of claim 1, wherein receiving the application further comprises receiving information about the consumer sufficient to perform a consumer credit analysis. (*See Masuda column 3 lines 32-39*)

As per claim 3 Masuda teaches:

The method of claim 1, wherein receiving the notification further comprises determining, as a result of receiving the application, that the consumer requests to purchase the product. (*See Masuda column 51-53. Asking to make a credit purchase starts the application process making it an inherent part of determining whether to approve the application.*)

As per claim 4 Masuda teaches:

The method of claim 1, wherein the notification and the application are received together. (*See Masuda column 3 lines 51-53. They start the transaction together.*)

As per claim 5 Masuda teaches:

The method of claim 4, wherein receiving the application includes: receiving the notification that the consumer requests to purchase the product. (*See Masuda column 3 lines 51-53. They start the transaction together.*)

As per claim 7 Masuda teaches:

The method of claim 1, further comprising: notifying at least one of the consumer and the point-of-sale location that the application has been approved. (*See Masuda column 3 lines 58-column 4 line 7*)

As per claim 8 Masuda teaches:

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The method of claim 1, wherein determining whether to approve the application further comprises: performing a credit analysis at least using information associated with the consumer. (*See Masuda column 3 lines 57-58*)

As per claim 13 Masuda teaches:

The method of claim 1, further comprising: charging a purchase cost of the product to the credit card account. (*See Masuda column 3 lines 51-53. Paying with a credit card to be issued to make the purchase inherently requires charging the costs to the credit card.*)

As per claim 14 Masuda teaches:

The method of claim 1, wherein the credit card account is configured for use in subsequent purchase transactions unrelated to the product. (*See Masuda column 1 lines 38-53. Credit cards can be used for unrelated purchases which is one reason why they are issued instead of the installment plans disclosed at column 1 lines 15-37.*)

As per claim 94 Masuda teaches:

The method of claim 1, further including:

offering the credit card account to the consumer at the point-of-sale location.

(*See Masuda column 2 lines 23-26*)

As per claims 32-36, 38, 39, 44, 45, 63-67, 69, 70, 75, 76, 96, and 98 they are parallel system and computer readable medium claims and are rejected under the same rationales as their parallel method claims were rejected under above.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 6, 9, 10, 37, 40, 41, 68, 71, and 72 are rejected under 35 U.S.C. 103(a) as being unpatentable over Masuda in view of case law.

As per claim 6 Masuda teaches:

The method of claim 1, wherein the notification and the application are received separately. See MPEP 2144.04 [R-6] .IV.C. In re Burhans, 154 F.2d 690, 69 USPQ 330 (CCPA 1946) (selection of any order of performing process steps is prima facie obvious in the absence of new or unexpected results) Therefore it would have been prima facie obvious to split up the notification and application steps.

As per claims 9 and 10 Masuda teaches the method of claim 1 as for the rest of the claim there are only two options if the product is not purchased either to approve the application anyway or deny it therefore it would have been obvious to a person of ordinary skill in the art at the time invention was made to try both to see which provided a greater benefit.

As per claims 37, 40, 41, 68, 71, and 72 they are parallel system and computer readable medium claims and are rejected under the same rationales as their parallel method claims were rejected under above.

9. Claims 11, 12, 15-20, 42, 43, 46-51, 73, 74, 77-82, 95, 97, and 99 are rejected under 35 U.S.C. 103(a) as being unpatentable over Masuda in view of Official Notice.

As per claim 11 Masuda teaches:

The method of claim 1, wherein determining whether to approve the application further comprises: causing the point-of-sale location to prevent the consumer's purchase of the product if the application is not approved. (See *Masuda column 4 lines 3-7 and column 3 lines 51-53*. Requesting to pay with credit using a credit card to be issued or denied at the store.)

While Masuda does not explicitly teach that the denial of the application will not allow the purchase to be made it is old and well known in the art of credit cards that if a credit card is denied it can not be used to pay for a purchase. Therefore it would have been obvious to a person of ordinary skill in the art at the time the invention was made that the denial of a credit application for the card that was going to pay for a purchase would result in preventing the purchase unless some other form of payment was used.

As per claim 12 Masuda teaches:

The method of claim 1, wherein determining whether to approve the application further comprises: notifying the point-of-sale location to prevent the consumer's purchase of the product if the application is not approved. (See *Masuda column 4 lines 3-7 and column 3 lines 51-53*. Requesting to pay with credit using a credit card to be issued or denied at the store.)

While Masuda does not explicitly teach that the denial of the application will not allow the purchase to be made it is old and well known in the art of credit cards that if a

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credit card is denied it can not be used to pay for a purchase. Therefore it would have been obvious to a person of ordinary skill in the art at the time the invention was made that the denial of a credit application would result in preventing the purchase unless some other form of payment is used.

As per claims 15-20, 95 Masuda teaches the method of claim 1. Masuda does not teach using an automatic draft to a credit card to pay bills. Official Notice is taken that it is old and well known in the art of credit cards to have automatic drafts drawn to them to pay recurrent bills such as cell phone bills. Official Notice is also taken that it is old and well known in the art of cell phone service to deactivate cell phone service to customers that don't pay their cell phone bill. Therefore it would have been obvious to a person of ordinary skill in the art at the time the invention was made to use an automatic draft to the credit card to pay their cell phone bill and for their cell phone to be deactivated when their bill is not paid due to the credit card it is drafted on being delinquent or closed.

As per claim 95 Masuda teaches:

The method of claim 1, further including:

offering the product to the consumer at the point-of-sale location; (*See Masuda column 3 lines 51-53*) and

conditioning the offer of the product to the consumer based on:

the consumer's acceptance of the credit card account, and

the customer's agreement to charge purchases and fees to the credit card account, including a charge associated with a purchase of the product. (*See Masuda*

column 51-53. Asking to make a credit purchase starts the application process making it an inherent part of determining whether to approve the application.)

Official Notice is taken that it is old and well known in the art of credit card marketing to give away a product for signing up for a credit card account. Therefore it would have been obvious to a person of ordinary skill in the art of marketing credit cards at the time the invention was made to require the acceptance of a credit card account to receive a product in return.

As per claims 42, 43, 46-51, 73, 74, 77-82, 97, and 99 they are parallel system and computer readable medium claims and are rejected under the same rationales as their parallel method claims were rejected under above.

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to Applicant's disclosure:

- Kang Siew Li. Business Times teaches credit card companies offering freebies including free mobile phones as enticements for customers to sign up for a credit card.

11. Examiner's Note: The Examiner has cited particular columns and line numbers in the references as applied to the claims for the convenience of the applicant.

Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant, in preparing the responses, to fully consider the references in entirety as potentially teaching all or part

of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the examiner.

12. Any inquiry concerning this communication from the examiner should be directed to Scott S. Trotter, whose telephone number is 571-272-7366. The examiner can normally be reached on 8:30 AM – 5:00 PM, M-F.

13. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James P. Trammell, can be reached on 571-272-6712.

14. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

15. The fax phone number for the organization where this application or proceeding is assigned are as follows:

(571) 273-8300 (Official Communications; including After Final
Communications labeled "BOX AF")

(571) 273-6705 (Draft Communications)

/sst/
5/2/2008

/James P Trammell/
Supervisory Patent Examiner, Art Unit 3694

Application/Control Number: 10/729,997
Art Unit: 3694

Page 11

Notice of References Cited	Application/Control No. 10/729,997	Applicant(s)/Patent Under Reexamination ROSENBLATT ET AL.	
	Examiner SCOTT S. TROTTER	Art Unit 3694	Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A	US-5,569,897	10-1996	Masuda, Hidehiro	235/379
	B	US-			
	C	US-			
	D	US-			
	E	US-			
	F	US-			
	G	US-			
	H	US-			
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	Kang Siew Li, Card issuers' freebies offer expected to last till year-end, July 11, 2001, Business Times, page 4
	V	
	W	
	X	

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.



ProQuest

Databases selected: Multiple databases...

Card issuers' freebies offer expected to last till year-end

Kang Siew Li. *Business Times*. Kuala Lumpur: Jul 11, 2001. pg. 04

Abstract (Summary)

The industry has so far 3.1 million credit and charge cards in circulation. Of the total, MasterCard said it has about 1.8 million credit cards and aimed to reach 2 million cards by year-end. Visa has about 1.2 million credit cards and Amex claimed a total of 180,000 charge cards, with the rest coming from Diners Club and JCB cards.

Full Text (1280 words)

Copyright New Straits Times Press, Ltd. Jul 11, 2001

THE plastic card market is perhaps one of the most happening sectors today.

Since 1999, the Malaysian market has been flooded by offers of free mobile phones, personal digital assistants, a chance to win cash, a car or a condominium to other lures such as free insurance, no annual fee and up to three free supplementary cards.

And major card companies say consumers can expect this to continue for the rest of the year.

"If it works to get more consumers to sign up, the card issuers will definitely continue to offer giveaways," said Jim Cheah, vice-president and country manager of MasterCard International in Malaysia.

Sure enough, the amount of ringgit spent with cards is increasing rapidly - by at least 40 per cent each year - although card companies are now adjusting to expectations of slower growth given the uncertainty in the economy.

Sounds good, but too much freebies could backfire.

Said Chan Yuen Kiong, country manager and head of consumer services group of American Express (Malaysia) Sdn Bhd (Amex), "If you keep offering premiums to consumers, it will even out the playing field and such freebies may no longer work to attract new members."

He pointed out the increasing difficulty card companies faced in retaining new members. Some people get absolutely best deals by taking advantage of the offers, then dropping the card after the introductory period.

Having said that, Amex is also guilty of using the same marketing strategies. In fact, the company is responsible for starting the intense competition among issuers to get cards into consumers' hands.

It launched the attack in 1999 by launching the "Fly Round & Round the World" contest for all Amex members to enter and win cameras and airline miles.

"Following the success of the contest, we began giving away premiums to attract new members and that got the ball rolling," Chan told *Business Times*.

While most card issuers continue to build the range of product discounts and freebies into their business plans, Amex has gone back to organising contests and games of chance that promise big cash prizes and trips.

Some companies, like MasterCard and Visa, are unmoved. They said it was up to the salespeople at member financial institutions to find customers for these cards.

For MasterCard, it intensified its marketing efforts at the end of 1999. Along with its member financial institutions' general-market promotions, the company supports with promotions and advertising campaigns designed to raise

the profile of sports in Malaysia.

"In the past two years, we have invested quite a bit of money to support sporting events such as the 1998 Commonwealth Games, golf tournaments, Formula One races and next year, the 2002 World Cup," said Cheah.

There are essentially two types of cards available: charge cards and credit cards.

Charge cards often have no spending restrictions but do come with the expectation that bills will be paid in full every month.

In contrast, credit cards allow consumers to roll over their expenses, but at hefty interest rates.

The industry has so far 3.1 million credit and charge cards in circulation. Of the total, MasterCard said it has about 1.8 million credit cards and aimed to reach 2 million cards by year-end. Visa has about 1.2 million credit cards and Amex claimed a total of 180,000 charge cards, with the rest coming from Diners Club and JCB cards.

Chan said the company's number of cardholders was expected to expand by 15 to 20 per cent this year.

Although the numbers are increasing, consumers are still not using their credit cards nearly as much as card companies would like.

Only about 5 per cent of Malaysian consumer spending is done with credit cards, compared with the global average of 8 per cent, according to Visa International country manager for Brunei, Guam, Malaysia, Singapore and the Philippines, June Seah.

As Cheah pointed out, it is not Amex or Visa that worried him most. Out there in the retail trenches, he said, "Our main competitor is cash".

"The prospect of tapping into the card market, projected to top US\$50 billion (US\$1 = RM3.80) in consumers' total spending in the region by 2005 is huge," said Chan. The region's total spending currently stands at US\$17 billion.

Cheah agreed, "There are about 4 million Malaysians qualified for credit and charge cards today. Of these, 1.5 million already hold a card or two. This means there are still about 2 million people who do not hold any card," he said.

Cheah noted that the level of market penetration is low - approximately 40 per cent.

While MasterCard may claim that it has the highest number of cardholders in Malaysia, Seah said the company remained No. 1 in terms of total card spending recorded by Malaysian cardholders.

Visa's consumer card spending totalled US\$2.25 billion last year, up 40 per cent from a year ago. It accounted for 55 per cent of the domestic card market.

In discussing the outlook, Seah said she was confident that the company would still see further growth this year, despite the fact that the health of surrounding local economies has slowed.

Visa is aiming for consumer spending growth rate of 30 per cent this year.

Several factors bode well for the company's efforts this time around, said Seah.

The Government's recent move to boost public spending has made it easy for consumers to apply for credit cards. Measures to encourage spending include the abolition of the RM50 tax on cards introduced in 1997 and the lowering of annual income eligibility criteria for cards to RM18,000 from RM24,000.

"That has added some 200,000 potential cardholders into the market," said Seah.

A belief in diversified markets saved some.

"We realised early that retail spending depends to a large degree on the business cycle. On that basis, we didn't expect consumers to spend as much during the economic downturn," said Seah.

She added that during the Asian crisis, Visa had found other markets, the non-traditional merchant segments as it is known within the company.

In the past two to three years, she noted, the company has embarked on a foray into markets such as insurance, utilities, petrol, telecommunications and supermarkets.

Next up is the travel industry. Visa plans to work with major airlines in sharing the cost for processing of air tickets purchased with a credit card through travel agents. At the moment, cardholders are discouraged to buy air tickets from travel agents because they have to pay a 2 per cent processing fee.

"We had done something similar in 1999 with Singapore Airlines and it was a success. Now, we are going around countries in the Asia Pacific region to do the same thing," said Seah.

Thus Visa has approached major airlines operating in the country, including Malaysia Airlines. The new programme is slated to be announced before year-end.

But Visa is not the only company that thinks that the biggest opportunity seems to lie in the area of partnerships. Amex recently launched a co-branded regionally valid Singapore Airlines Amex Charge Card.

"It's very clear that partnerships or strategic alliances create a much stronger proposition than a single brand," said Chan.

"It lowers the cost of doing business and there are always complementary strengths that can be shared by both the partners."

In fact, Amex is already looking for new strategic partners. "We are looking for companies that are skewed to the lifestyles and needs of our customers," said Chan.

Clearly, work on luring new cardholders for card companies and their member financial institutions will be much harder in the next few years than in the past. But whichever side wins it will be the consumers who will be served.

Indexing (document details)

Companies:	MasterCard International Inc (NAICS: 522210, Sic:6020, Duns:05-048-3783) , Visa International Inc (NAICS: 522210, Sic:7389)
Author(s):	Kang Siew Li
Section:	<i>Nation</i>
Publication title:	Business Times. Kuala Lumpur. Jul 11, 2001. pg. 04
Source type:	Newspaper
ProQuest document ID:	75230780
Text Word Count	1280
Document URL:	http://proquest.umi.com/pqdweb?did=75230780&sid=1&Fmt=3&clientId=19649&RQT=309&VName=PQD

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PATENT
Customer No. 22,852
Attorney Docket No. 05793.3125

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
)	
Charles A. ROSENBLATT et al.)	Group Art Unit: 3624
)	
Application No.: 10/729,997)	Examiner: Unassigned
)	
Filed: December 9, 2003)	
)	
For: METHODS AND SYSTEMS FOR)	
OFFERING A CREDIT CARD)	
ACCOUNT TO A CONSUMER AT)	
A POINT-OF-SALE LOCATION)	

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached PTO 1449. This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

Copies of the listed documents, including any copending patent applications, are attached. Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /ST/

documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

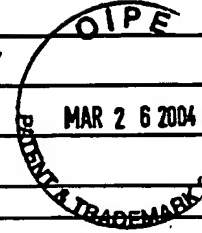
Dated: March 26, 2004

By: _____


D. Kent Stier
Reg. No. 50,640
(404) 653-6559

INFORMATION DISCLOSURE CITATION

Atty. Docket No. 05793.3125	Appln. No. 10/729,997
Applicant Charles A. ROSENBLATT et al.	
Filing Date December 9, 2003	Group: 3624



U.S. PATENT DOCUMENTS							
Examiner Initial*		Document Number	Issue Date	Name	Class	Sub Class	Filing Date If Appropriate
		6,330,548	12/11/2001	Walker et al.	705	38	01/25/2000
		6,324,524	11/27/2001	Lent et al.	705	38	11/03/1998
		6,144,948	11/07/2000	Walker et al.	705	38	06/23/1997

FOREIGN PATENT DOCUMENTS							
		Document Number	Publication Date	Country	Class	Sub Class	Translation Yes or No

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)	
	Kenneth BEIRNE et al., "Method, System, and Storage Medium for Pre-Screening Customers for Credit Card Approval at a Point-Of-Sale Location," published April 24, 2003, Publication No. 2003/0078877.

Examiner /Scott Trotter/	Date Considered 04/23/2008
*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	
Form PTO 1449 Patent and Trademark Office - U.S. Department of Commerce	



10729997-BAU. 3694

PATENT
Customer No. 22,852
Attorney Docket No. 05793.3125

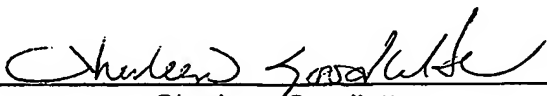
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Charles A. ROSENBLATT et al.) Group Art Unit: 3624
Application No.: 10/729,997) Examiner: Unassigned
Filed: December 9, 2003)
For: METHODS AND SYSTEMS FOR)
OFFERING A CREDIT CARD)
ACCOUNT TO A CONSUMER AT)
A POINT-OF-SALE LOCATION)

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8

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on November 30, 2004
Date



Sherleen Goodlette

Attachments:

1. Information Disclosure Statement Under 37 C.F.R. § 1.97(b) (2 pgs)
2. Form PTO/SB/08 (1 pg)
3. Post Card to Acknowledge Receipt



PATENT
Customer No. 22,852
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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the document on the attached listing. This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

A copy of the cited U.S. patent publication is not enclosed. Applicants respectfully request that the Examiner consider the listed document and indicate that it was considered by making appropriate notations on the attached form. This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against

Application Serial No.: 10/729,997
Attorney Docket No.: 05793.3125

any claim in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: November 30, 2004

By: _____


D. Kent Stier
Reg. No. 50,640
(404) 653-6559

IDS Form PTO/SB/08: Substitute for form 1449A/PTO

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Complete if Known

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet

1

of

1

Application Number

10/729,997

Filing Date

December 9, 2003

First Named Inventor

Charles A. ROSENBLATT

Art Unit

3624

Examiner Name

Currently Unassigned

Attorney Docket Number

05793.3125

U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS

Examiner Initials ¹	Cite No. ¹	Document Number	Issue or Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
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Note: Copies of the U.S. Patent Documents are not Required in IDS filed after October 21, 2004

FOREIGN PATENT DOCUMENTS

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NON PATENT LITERATURE DOCUMENTS

Examiner Initials ¹	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation ⁶

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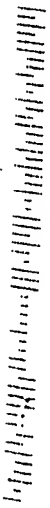
/Scott Trotter/

Date
Considered

04/23/2008

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

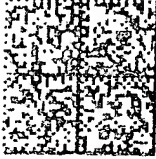
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